

**Webster Groves Plan Commission  
Meeting Minutes**

February 1, 2021

<b>Members Present</b>	Charles Sindel	PLANNER
	Jeff Smith	Danny Jendusa
	Steve Hunkins	DIRECTOR OF PLANNING & DEVELOPMENT
	Annie Tierney	Mara Perry
	Michael Buechter	CITY ATTORNEY
	Maddy Heikkila	Neil Bruntrager
		COUNCIL LIASON
		Pam Bliss

**Members not Present**

Toni Hunt  
Scott Mueller

**REGULAR SESSION**

1. Sindel opened the meeting via Zoom at 7:00 p.m.
2. **APPROVAL OF MINUTES:**  
Sindel asked for a motion to approve the minutes from January 7, 2021. Hunkins made a motion to approve. C. Michael seconded the motion. The motion passed 7-0.
3. **PUBLIC COMMENTS:**  
There were none.
4. **PUBLIC HEARING:**
  - a) **21-PC-01 Lona's Lil Eats LLC (7985 Big Bend Blvd.)** An application by Lona's Lil Eats LLC for a Conditional Use Permit to allow a "Restaurant, drive thru" use located on a 0.41 acre lot at 7985 Big Bend Blvd. in the "C" Commercial District.

The applicant requested to postpone the hearing to the March 1, 2021 Plan Commission meeting to gather additional information.

Sindel asked for a motion to continue the public hearing to the March 1, 2021 meeting. The motion passed 7-0.

**b) 20-PC-06 Zoning Code Text Amendments- Two Family Residential:** Proposed amendments include clarifications to the use and dimensional regulations regarding single family attached dwellings and two-family dwellings in the "A4" Seventy-Five Hundred Square Foot Residence District in Sections 53.070 and 53.100 and amended definitions related to these uses in Section 53.020.

Jendusa said this presentation is a continuation from the January 7, 2021 meeting. The focus is on refining distinctions between definitions of already existing allowed uses for single family dwellings, single family attached dwellings, and two family dwellings and expanding their availability as options in more parts of the "A4" district in the city. Since it is tied to the amendments under review in 20-PC-07, staff requests keeping this open along with 20-PC-07 to the March 2021 meeting.

Jendusa briefly went through several of the sections applicable to single family attached and two family dwellings in the "A4" District:

1. Definitions
2. Minimum lot sizes
3. Width of lot
4. Floor area ratio
5. Setbacks for shared units
6. On-site parking requirements
7. Impact on historical districts

We've looked at the topic of accessory dwelling units, but staff does not recommend changing the existing regulations regarding ADUs at this time. An additional topic of discussion has been the capacity of infrastructure on local streets/traffic and capacity of infrastructure on utilities and city services, which staff recommends reviewing on a case by case basis.

Staff has slightly amended the existing definitions for single family attached dwellings and two family dwellings and added a definition for "party wall" for requested clarification. Other definitions presented are shown for contextual purposes.

"Accessory Buildings" shall mean a subordinate building or a portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises.

"Building" shall mean any structure affixed to the land and designed or intended for the support, enclosure, shelter or protection of persons, animals, or property.

"Dwelling" shall mean any building or portion thereof which is designed for or used exclusively for residential purposes.

"Dwelling, Single-Family" shall mean a detached building designed for or occupied exclusively by one family.

"Dwelling, Single-Family Attached" shall mean two (2) or more single-family dwellings, ~~sharing common wall areas~~, each on its own individual lot, *sharing party wall areas*.

"Dwelling, Two-Family" shall mean a detached ~~or semi-detached~~ building designed for or occupied exclusively by two families living independently of each other *in dwelling units separated by a party wall or other fire-rated barrier on a single lot*.

"Dwelling, Multiple" shall mean a building or portion thereof used or designed as a residence for three (3) or more families living independently of each other, and doing their own cooking in said building, including apartments and apartment hotels.

"Party wall" shall mean a wall forming part of a building and used for separation of adjoining dwellings or buildings occupied, constructed or adapted to be occupied by different households or businesses.

In the "A4" zoning district, the minimum lot size for a house is 7,500sqft with a 60ft minimum lot width. But the code already has an exception to allow single family dwellings on legal nonconforming lots that don't meet these requirements if they existed as legal lots prior to 1956 when our modern zoning code was established. If a house is torn down on a small 6,000sqft lot that existed in 1956, a new single family dwelling can go in its place. With the proposed amendment, if you had two small legal nonconforming lots side-by-side, a single family attached house could go on each lot. However, the exception does not allow two-family dwellings on non-conforming lots. Two family dwellings would only be allowed on fully conforming lots that are at least 7500sqft in area or 3,750sqft in area per dwelling unit and 60ft wide.

Looking at side yard setbacks for single family attached dwellings and two family dwellings, a reminder that single family attached dwellings would be one dwelling unit on one lot, attached by a party wall to another dwelling unit on a separate second lot. A two family dwelling would be two dwelling units on one single lot, attached by a party wall or fire rated barrier.

For the purpose of the side yard regulations, ~~two family dwelling, or a multiple dwelling, a two-family dwelling or multiple dwelling~~ shall be considered as one (1) building occupying one (1) lot. ~~An attached single family or~~ At a two-family dwelling, constructed on a single lot (i.e. condominium not fee simple) with a party wall connecting the units, ~~must meet the minimum lot area requirements, but~~ the side yard requirement at the common wall between units shall not apply.

~~Attached single single family dwellings may be also be constructed on two (2) individual lots~~  
An attached single-family dwelling, each constructed on its own individual lot (fee simple) with a party wall connecting the units, ~~and, in such cases, each individual lot shall meet the minimum lot width and lot area requirements, but~~ the side yard requirement-at the common wall between the units shall not apply. No more than four (4) attached single family dwellings may be constructed contiguously.

Jendusa said the Plan Commission could determine whether there could be up to two single family dwellings attached side by side or to allow up to four units attached, like a rowhouse or townhouse style. There may be locations if you had 4 narrow lots side by side where a rowhouse style could make sense.

The parking regulations requiring one parking space behind the front building line per dwelling unit would continue to apply to single family dwellings, attached single family dwellings, and two family dwellings.

FAR regulations would be tied to the amendments in 20-PC-07. Single family detached and attached dwellings would have the same FAR requirements set in 20-PC-07. Two family dwellings would be tied so that the combined size of a two family dwelling could not exceed what would be allowed for a single family dwelling on the same lot. For two families on lots greater than 7,500 square feet but less than 10,000 square feet in area, FAR would be set at 0.16 per unit; For lots 10,000 square feet or greater in area, FAR would be set at 0.15 per unit or 1,600 square feet per unit, whichever is greater

The City code already allows “accessory dwelling units” for immediate family members of the homeowner (ie. “mother-in-law suites” or for college-aged or adult children etc.) They can be located within main house, attached or detached, and they are subject to setback, size, building code, and occupancy standards. City staff is not proposing or recommending any relaxation of these standards that would allow rental or condo ADUs for occupancy by individuals who are not immediate family members of the resident homeowner

If any two family or single family attached conversions were proposed on lots zoned “A4” in the historic districts, they would be required to meet the historic district design guidelines with the ARB.

Hunkins asked about allowing accessory dwelling units as rentals. Perry said that would add other elements that they would need to look at for all four districts.

Heikilla asked for clarification on how many single family attached units could be adjoined. Jendusa said the proposed amendment would allow up to 4 single family attached units to be adjoined, which might make sense if you had four narrow lots in a row. There are not many locations like this in Webster Groves, so it might make sense to revisit that text.

Sindel asked for a motion to keep the public hearing open to the March 1, 2021 meeting. Buechter made a motion. Tierney seconded the motion. The motion passed 7-0.

**c) 20-PC-07 Zoning Code Text Amendments- Residential Dimensional Requirements:** Proposed amendments include changes to Sections 53.043, 53.053, 53.063, and 53.073 to clarify lot coverage and height regulations in the “A1” through “A4” Residence Districts; and amended definitions related to the dimensional regulations in Section 53.020.

Perry said this presentation is also a continuation from the January 2021 meeting and staff is requesting that it be held open to the March 2021 meeting for further review and comments. The city council has asked for review and possible recommendations for possible changes due to the number of complaints we’ve received from residents about large new homes on small lots and next to small houses in the last few years. City Council asked Plan Commission and staff to prepare code amendments that would protect existing smaller scale housing that we have, and not encourage them to be torn down for new larger structures to a degree, while still trying to preserve diversity in the types and sizes of housing in the community and character of the community.

Based on feedback the areas for concentration are floor area ratio/guaranteed square footage, height and ½ story definition and finish floor elevation on sloped lots. I’ll go through the proposed changes we’ve discussed during the past few meetings and provide clarification requested at the January meeting.

Perry presented data and figures on the approximate number of existing residential lots around 7,500sqft or less and 10,000sqft or less, and estimates about how the proposed amendments

would impact existing homes on these smaller lots and the ability for them to do a large addition. Staff estimates about half the residential lots in the City are 10,000sqft or less. Currently there are about 280 homes on these 4,400 lots that could not add a 400sqft addition by right under the existing FAR regulations in the code. Staff's analysis shows the proposed code changes would result in about 554 homes of these 4,400 which could not add a 400sqft addition by right.

Lot Coverage.

1. A maximum Floor Area Ratio (FAR) for a single-family detached residence shall not exceed:
  - A. ~~For lots 7,500 square feet or less in area, 0.35 or 2,600 square feet, whichever is greater;~~
  - B. For lots greater than 7,500 square feet but less than 10,000 square feet, 0.32 or 2,800 square feet, whichever is greater;**
  - C. For lots 10,000 square feet or greater but less than 20,000 square feet, 0.30 or 3,200 square feet, whichever is greater;
  - D. For lots 20,000 square feet or greater in area, 0.25 or 6,000 square feet, whichever is greater;
2. Total ground area covered by all buildings, including accessory buildings, shall not exceed forty percent (40%) of the lot size.
3. The Architectural Review Board (ARB) may approve construction of a new detached single-family dwelling, or addition to an existing detached single-family dwelling resulting in a floor area ratio (FAR) of up to forty percent (40%) if the ARB concludes that the construction will not result in a dwelling with excessive and unreasonable dissimilarity or inappropriateness in relation to any other single-family dwellings existing or for which a permit has been issued, within one hundred fifty (150) feet of the proposed site in respect to one or more of the following features:
  - A. Gross Floor Area
  - B. Height of building or height of roof
  - C. Front elevation building width or percentage of lot width occupied by the building
  - D. Other significant design features such as roof lines, massing, elevation articulation, and material or quality of architectural design, provided that a finding of excessive dissimilarity or inappropriateness exists, but further that it is of such a nature as to be expected to provoke beyond reasonable doubt an adverse affect on the stability and value of surrounding property, and that finding is not based on personal preferences as to taste or choice of architectural style.

Currently the code guarantees the right to build a 2,600sqft home on an undersized, substandard legal lot, no matter how small the lot is, which is where the concerns of many neighbors and residents have come from- citing large new homes built among smaller older homes on small lots, out of context with the scale of the other homes on the street. The change would remove the guaranteed square footage for smaller lots less than 10,000sqft, and provided a maximum FAR of 0.32. Starting at 10,000sqft lots and above, a guarantee would allow 3200sqft homes and a 0.30 FAR, whichever is greater. These changes would help to preserve the existing range and

diversity of home types and sizes in the community and offer a variety of levels for potential new residents.

There would remain a section in the code which would allow requests to build up to 40% FAR to go to ARB, where the applicant would need to demonstrate to the ARB that the proposed size and scale of the house would be compatible and appropriate with the existing homes already immediately around it. Where it would be appropriate, there would still be a potential opportunity to ask to build homes greater than the 0.32 FAR if that's what's typical on that block, but among smaller homes on smaller lots, the 0.32 FAR would be the standard.

Perry presented data and figures on the sizes of new homes and additions built since 2014 when the City started tracking, and how the proposed changes would have theoretically impacted these recently built homes and additions. The data presented that over 90% of the 290 additions built would not have had to reduce the square footage of what was built and nearly 80% of the 156 new homes would not be impacted by the proposed FAR reduction. Only one of the additions and one of the new homes built would not have been eligible to petition ARB to allow their proposed project if it was consistent with the neighboring homes.

Sindel asked what happens if the request to exceed FAR is denied by ARB and Perry said it can then go to an appeal to city council or a variance at the BOA.

Perry provided slides of maps showing the various sizes of homes throughout Webster, showing the diversity and mix of the size of homes throughout the City. On each block, there can be a wide range of the size of homes currently. This is part of the character of our community which we're trying to preserve.

Perry said staff would like to hold the discussion about impervious coverage as a separate amendment as there is much more to review and discuss. She spoke about preservation of grade. There are concerns about the new homes sitting much higher than the existing houses on either side.

Perry spoke about changes to the preservation of Existing Grade, to require a more significant side yard setback if a new home is proposed to site far above a neighboring home.

1. The finished first floor elevation at the front façade shall not exceed by more than one foot the average finished first floor elevation at the front façade of adjacent properties with frontage on the same street.
2. When the allowed finished floor elevation exceeds the finished floor of the adjacent lower structure by more than three (3) feet, the side yard setback of the new structure shall be increased by one (1) foot for every six (6) inches above the five (5) feet from the side adjacent to the lower property elevation.
3. The Director of Planning and Development may approve variations from the above upon finding that the proposed variation is necessary to adequately address issues including, but not limited to, storm water runoff, sanitary sewer, and the general welfare of the community

Perry also spoke about the definition of “half story”. In 2016, Plan Commission approved a definition for “half story” that limited the square footage of a half story to 50% of the floor below. When the amendment got to city council, it was approved at 75% of floor below. This has resulted in new homes built with what is almost a third story view to neighbors. At 75%, it’s allowed new homes that simply expand the lower levels of the home much deeper to still allow a large floor plan on a third level. Staff is recommending the change to 50% to allow existing homeowners to be able to add dormers to attics in keeping with the character of many homes, but not getting so great that it essentially creates a third story.

Story, Half” shall mean a space under a sloping roof where the gross floor area of any portion measuring more than five (5) feet from the finished floor to the finished ceiling is equal to or less than ~~seventy-five-fifty-(7550)~~ percent of the gross floor area of the floor below. Areas which constitute more than ~~seventy-five-fifty-(7550)~~ percent of the gross floor area of the floor below shall count as a story in the height regulations.

Side yard set backs are recommended as follows:

Side Yard Setback. The minimum side yard setback shall be established in the following manner:

1. There shall be a side yard on each side of the building having a width of not less than twelve (12) feet; or
2. Residential structures existing as of September 20, 1956 which are closer to the side property line than twelve (12) feet may be enlarged, provided any addition is no closer to the side property line than twelve (12%) percent of the lot width at the front yard setback and is not reduced to less than five (5) feet.

Yard Projections

1. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, ornamental features and eaves; provided, however, that none of the above projections shall project into a minimums side yard more than twenty-four (24) inches.
2. Terraces, uncovered porches, platforms, window wells and ornamental features which do not extend more than three (3) feet above the level of the ground shall have a setback of three (3) feet from the adjacent side lot lines.
3. Open lattice enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than three and one-half (3 1/2) feet and where the same is so placed as not obstruct light and ventilation.

A letter was sent in from the Home Builders Association of Missouri commenting on several of the proposed changes and the impact it could have on Webster Groves. Perry said the letter will go into the public record for review and answered.

Smith asked if Perry will reply to the comments and Perry said yes.

Laurence Kinsella, a Webster Park resident, said he is fascinated with the whole housing issue. It seems you all live in the world of give and inch and take a mile and that all of these various adjustments that are made are then optimized to the nth degree by the end builder. How difficult will it be to scale back from 75% to 50%, how much pushback do you anticipate? What has been Webster Groves' history in trying to reduce this type of gentrification or expansion in the past. Perry said she will add the questions comments to the public record.

Jamie Hesselmeier sent an email in support of both proposals.

Sindel asked for a motion to keep the public hearing open to the March 1, 2021 meeting. Heikkila made a motion. Smith seconded the motion. The motion passed 7-0.

5. **OTHER BUSINESS:** Perry said there is no other business to discuss at this time.

6. **NEXT REGULAR MEETING:** March 1, 2021

7. **ADJOURNMENT OF THE EXECUTIVE**

Sindel asked for a motion to adjourn. Heikkila made a motion. Smith seconded the motion. All in favor motion passed 7-0. The meeting adjourned at 8:12.